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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,304	02/07/2002	Katsushi Fujii	219202US6	7100
22850	7590	03/26/2009		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HUYNH, BA	
			ART UNIT 2179	PAPER NUMBER
			NOTIFICATION DATE 03/26/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/067,304

Applicant(s)

FUJII ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071540 (Dworkin), in view of US patent 6,363,352 (Dailey et al), further in view of US patent application publication 2006/0090013 (Achacoso et al).

- As for claims 1, 3-5, 10: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents and a second service of providing a group chat space, in real-time according to a reservation made in advance by the first terminal, and to a plurality of second terminals for requesting the use of first service and the use of a second service (0002-0008, 0015-0019), comprising the means/steps for: acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service to the second terminal (0015, 0025), generating means configured to generate the chat space corresponding to the reservation at a predetermined time designated by the reservation (0019-0021, 0025-0028), providing means for providing the chat space (0004, 0008, 0014, 0016, 0019, 0021, 0022, 0026, 0027) to the first and second terminals coincident with the first service (0004, 0019, 0021), the second terminal

accessing the chat space and first service in accordance with authentication data (0024, 0025, 0028). Per Dworkin, recording/playback and live broadcasting services are provided (0027).

Dworkin discloses that chat room password is required for accessing the chat space (0026). Conference participants are notified and connected to scheduled conference at start time (0027). Streaming services, including whiteboarding and application sharing, are available for live broadcast of conferences (0027). Thus it appears that conference content is provided to the server such that whiteboarding and application sharing is available at the time of the conference. Even if it is not, implementation of providing conference content to the server is disclosed by Dailey et al (abstract, 3:61-4:3). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of providing conference content to the server to Dworkin. Motivation of the combining is for the advantage of automating content distribution as suggested by Dailey (2:65-3:3). The notification includes authentication data and email addresses (Dworkin's 0019, 0024-0028, Dailey's 10:10-18, 14:33-39). Since purchase options may include the video chat room, video chat room password for access to the chat room's schedule and reservation, and since the group customer may be responsible for creating and maintaining its own web pages (Dworkin's 0019, 0024-0028), it further appears that an internet webpage address of the user of the first terminal is also included in the notification in order for the notified participant to be connected to the conference at conference time. Even if it is not, sending notification with authentication, email address and webpage address data by the server to conferee is well known in the art and is disclosed by Achacoso et al (0108). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Achacoso's teaching of sending a notification message having an internet webpage address of the first user to Dworkin. Motivation of the combining is for the obvious advantage of being user friendly as suggested by Achacoso (0007, 0108).

See also US 2001/0023430, par 0006-0007 and US 2006/0090013, par 0108). Per Dailey, the chat space is generated at “predetermined time” prior to a distribution start time (Dailey’s 5:27-30).

Dworkin discloses means for user tracking service (0021) and user presence information (0031), displaying of participant directory 156, usage tracking and billing (0031). Thus it appears that a viewer counting unit is implicitly included in Dworkin for counting and displaying a number of viewers of contents distributed by the user of the first terminal (conferees are viewers of distributed content). In addition Dailey discloses in 14:18-22 means for counting and displaying number of conferees which are viewers of distributed content.

- As for claim 2: Dworkin fails to clearly teach deleting the chat space at pre-determined time after distribution end time. However Official notice is taken that implementation of deleting the chat space at pre-determined time after distribution end time would have been obvious to one of skill in the art at the time the invention was made. Motivation of the implementation is for accounting and schedule management purposes.

- As for claim 6-9: Per Dworkin, recording/playback and live broadcasting services are provided (0027). The combined Dworkin&Dailey&Achacoso fails to clearly teach forwarding the chat conducted in the chatroom to the first terminal upon completion of the service. However implementation of sending a copy of the chat or meeting to a designated terminal is well known in the art (see US 5,852,656, claims 9 and 10; US 2005/0101338, par 0076; US 2002/0178222, par 0004, US 2002/0071540, par 0083, 0084, 0187). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of forwarding the chat conducted in the chatroom to the first terminal upon completion of the service to Dworkin&Dailey&Achacoso. Motivation is for management purpose.

- As for claim 11: Dworkin fails to clearly teach that the reservation information includes a genre of the content. Dailey disclose reservation includes genre of conference content (13:33-44, fig 5). It would have been obvious to one of skill in the art to combine Dailey's teaching to include a genre of the conference content to the reservation for management purpose and also for informing participant the genre of the content.
- As for claim 12: Dworkin fails to clearly teach that the reservation information includes a description of the content. Dailey disclose reservation includes a description of the content (13:33-44, fig. 5). It would have been obvious to one of skill in the art to combine Dailey's teaching to include a description of the content to the reservation for management purpose and also for informing participant the genre of the content.
- As for claim 13: The reservation includes reservation date and time (Dworkin's 0025, Dailey's 13:33-44, fig 5).
- As claim 14: The reservation information includes an email address of the first user (Dworkin's 0019, 0032, fig 3; Dailey's 13:33-44, fig 5).

Response to Arguments

Applicant's argument regarding the added limitation "a viewer counting unit configured to count a number of viewers of contents distributed by the user of the first terminal and to display the number of viewers" have been fully addressed in the rejection set forth above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh
/Ba Huynh/

Primary Examiner, Art Unit 2179